

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

MEMPHIS-SHELBY COUNTY
AIRPORT AUTHORITY,

Plaintiff,

v.

No. 01-3041 B

ILLINOIS VALLEY PAVING COMPANY and
FIREMAN'S FUND INSURANCE COMPANY,

Defendants.

ILLINOIS VALLEY PAVING COMPANY,

Counter-Plaintiff,

v.

MEMPHIS-SHELBY COUNTY
AIRPORT AUTHORITY,

Counter-Defendant.

ILLINOIS VALLEY PAVING COMPANY,

Third-Party Plaintiff,

v.

JACO AIRFIELD CONSTRUCTION, INC.,

Third-Party Defendant.

JACO AIRFIELD CONSTRUCTION, INC.,

Fourth-Party Plaintiff,

v.

NEHRING ELECTRICAL WORKS COMPANY,
GRAYBAR ELECTRIC COMPANY, INC.,

Fourth-Party Defendants.

ILLINOIS VALLEY PAVING COMPANY,

Cross-Claimant,

v.

NEHRING ELECTRICAL WORKS COMPANY,
and GRAYBAR ELECTRIC COMPANY, INC.,

Cross-Defendants.

FIREMAN’S FUND INSURANCE COMPANY,

Cross-Claimant,

v.

JACO AIRFIELD CONSTRUCTION, INC.,
NEHRING ELECTRICAL WORKS COMPANY, and
GRAYBAR ELECTRIC COMPANY, INC.,

Cross-Defendants.

ORDER OVERRULING OBJECTIONS
TO THE MAGISTRATE JUDGE’S ORDERS

On February 16, 2006, the Court referred several motions in limine filed by Nehring Electrical Works Company (“Nehring”) (Docket Entry (“D.E.”) Nos. 319, 321, 323-328, & 338), Graybar Electric Company, Inc. (“Graybar”), (D.E. Nos. 329-37) and Memphis-Shelby County Airport Authority (“MSCAA”) (D.E. No. 339, 342, & 348) to Magistrate Judge Anderson for determination. (D.E. No. 352.) Magistrate Judge Anderson subsequently denied the motions of

Nehring and Graybar (D.E. Nos. 319 & 331) to exclude the testimony of Robert Clark (D.E. No. 510), granted in part and denied in part their motions (D.E. Nos. 321 & 333) to exclude the testimony of Richard Hartlein, granted their motions (D.E. Nos. 336 & 338) to exclude the testimony of James Ruggieri (D.E. No. 511), denied their motions (D.E. Nos. 323 & 332) to exclude the testimony of Bogdan Fryszczyn (D.E. No. 460), denied their motions (D.E. Nos. 324 & 334) to exclude the testimony of Carlos Katz (D.E. No. 461), granted in part and denied in part their motions (D.E. Nos. 325 & 337) to exclude the testimony of Dean Williams (D.E. No. 468), denied their motions (D.E. Nos. 326 & 330) to exclude the testimony of Louis Bopp (D.E. No. 459), denied their motions (D.E. Nos. 327 & 329) to exclude the testimony of Warren Baker (D.E. No. 456), and denied their motions (D.E. Nos. 328 & 335) to exclude the testimony of Michael Lynch (D.E. No. 455). Furthermore, Magistrate Judge Anderson granted MSCAA's motion (D.E. No. 339) to exclude the testimony of Rodney Ginger, as well as its motion (D.E. No. 342) to exclude the testimony of Walter Eugene Herring (D.E. No. 499), and granted in part and denied in part its motion (D.E. No. 348) to exclude the testimony of Kieron Dey (D.E. No. 500).

Nehring and Graybar filed objections to the magistrate judge's orders denying their motions to exclude the testimony of Warren Baker, Michael Lynch, Carlos Katz, Louis Bopp, and Bogdan Fryszczyn. (D.E. Nos. 463, 464, 465, 466, 471, 472, 473, 474, 475, & 476.) They also filed objections to the orders granting MSCAA's motion to exclude the testimony of Rodney Ginger and Walter Eugene Herring. (D.E. Nos. 501, 502, 506, & 507.) Last, they filed objections to the magistrate judge's order denying the motion to exclude the testimony of Robert Clark. (D.E. Nos. 520 & 521.) MSCAA filed objections to the orders granting in part and

denying in part Nehring and Graybar's motions to exclude the testimony of Richard Hartlein (D.E. No 481) and Dean Williams (D.E. No. 482). After reviewing the magistrate judge's orders and the objections thereto, the court finds that the rulings were neither clearly erroneous nor contrary to law and thus AFFIRMS the magistrate judge's conclusions. See Fed. R. Civ. P. 72 (a).

IT IS SO ORDERED this 2nd day of May, 2008.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE